IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 3RD OCTOBER 2006 / 11TH ASWINA 1928

Bail Appl..No. 5786 of 2006()

CRIME NO.286/2006 OF KURUPPAMPADY POLICE STATION
MP.3122/2006 of J.M.F.C.,PERUMBAVOOR

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PETITIONER/IST ACCUSED

RAJAPRABHU, S/O.CHELLADURAI,
NADUVILA VEEDU, KILLIYOOR P.O.,
KANYAKUMARI DISTRICT.

BY ADV. SRI.D.KISHORE

RESPONDENTS: STATE AND COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
KURUPPAMBADY POLICE STATION.

BY PUBLIC PROSECUTOR, SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

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B.A. No. 5786 of 2006

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Dated this the 3rd day of October, 2006

O R D E R

The petitioner surrendered on 04/08/2006 as he is accused of the offence punishable under Sections 341 and 302 I.P.C., read with Section 34 of the Indian Penal Code, in Crime No.286/2006 of Kuruppampady Police Station. The petitioner is the first accused. It is alleged that the petitioner and another had committed murder of one Samuel, on 29/07/2006. Because of the injuries sustained, the said Samuel succumbed to the same on 30/07/2006, at about 3.30 a.m.

2. The prosecution opposes the granting of the bail, on the plea that the petitioner is from Kanyakumari District and, once he is released, he may not be available to face the trial. I also heard the arguments advanced by the learned counsel for the petitioner.

3. In the above fact situation, I grant bail to petitioner, the first accused, and release him from jail, on imposing the following conditions:-

i. The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties each for the like sum, to the satisfaction of the Judicial Magistrate of the First Class, Perumbavoor.

ii. The sureties shall produce the solvency certificates before the learned Magistrate. The execution of the Bail Bond and the release of the petitioner shall only be after scrutiny of the documents so produced by them.

iii. The petitioner shall report before the Investigating Officer, once in a week, on every Monday, between 9.30 a.m and 10.30 a.m, for a period of five months, starting from the next Monday, following his release and, thereafter, on the first working day of every month, between the same timings, till the final trial and disposal of the sessions case.

(J.M.JAMES)
Judge

ms